

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

REGINALD FENTER,

Plaintiff,

v.

KRAFT FOODS GLOBAL, INC.,

Defendant.

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CIVIL ACTION

No. 11-4916

ORDER

AND NOW, this 27th day of December, 2011, upon consideration of the Motion to Dismiss Plaintiff's Complaint Pursuant to Fed. R. Civ. P. 12(b)(6) or, in Alternative, Motion for a More Definite Statement Pursuant to Fed. R. Civ. P. 12(e) (Doc. No. 8) by Defendant Kraft Foods Global, Inc. ("Defendant's Motion to Dismiss"), and the Response by Plaintiff Reginald Fenter, it is hereby **ORDERED** that:

1. the Motion is **GRANTED IN PART** and **DENIED IN PART**;
2. the Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6), is **GRANTED** as to Plaintiff's claim under the New Jersey Law Against Discrimination, N.J.S.A. § 10:5-12 et seq. ("NJLAD") (Count II) because it is untimely and dismissal is unopposed;
3. Plaintiff's NJLAD claim (Count II) is **DISMISSED**;
4. Defendant's Motion to Dismiss Plaintiff's Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) is **DENIED** in all other aspects; and

5. Defendant's Motion, in the Alternative, for a More Definite Statement Pursuant to Federal Rule of Civil Procedure 12(e) is **DENIED**.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE